

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta
OCT 13 2009
JAMES N. HARTEN, Clerk
Deputy Clerk

IN RE HOMEBANC CORPORATION : CIVIL ACTION NO.
SECURITIES LITIGATION : 1:08-CV-1461-TCB

[REDACTED] CONSENT SCHEDULING ORDER

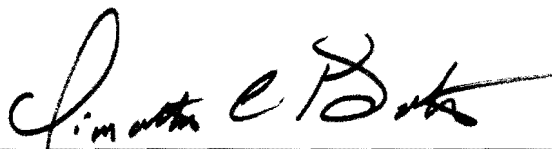
WHEREAS Defendants have filed a motion to dismiss and a related motion requesting judicial notice; and

WHEREAS under the existing scheduling order, Plaintiff's response to Defendants' motion to dismiss is due on November 19, 2009, and Defendants' reply is due 30 days thereafter; and

WHEREAS counsel have agreed that the related motion requesting judicial notice should be briefed on the same schedule as the motion to dismiss, as evidenced by their signatures below;

IT IS HEREBY ORDERED that Plaintiff's response to Defendants' motion requesting judicial notice shall be due at the same time as his response to the motion to dismiss, and Defendants' reply briefs for both motions shall be due 30 days thereafter.

SO ORDERED this 13th day of October, 2009.



Honorable Timothy C. Batten, Sr.
United States District Court Judge

/s/ David A. Bain

Georgia Bar No. 032449
Law Offices of David A. Bain, LLC
1050 Promenade II
1230 Peachtree St., NE
Atlanta, GA 30309
Tel: (404) 724-9990
Fax: (404) 724-9986
dbain@bain-law.com

Liaison Counsel for Plaintiffs

Lewis S. Kahn
Kahn Swick & Foti, LLC
650 Poydras Street, Suite 2150
New Orleans, LA 70130
Tel: (504) 455-1400
Fax: (504) 455-1498
lewis.kahn@ksfcounsel.com

Kim E. Miller
Kahn Swick & Foti, LLC
12 E. 41st St., Suite 1200
New York, NY 10017
Tel: (212) 696-3732
Fax: (504) 455-1498
kim.miller@ksfcounsel.com